

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA; and,
NINE NAMED FEDERAL EMPLOYEES,

Plaintiff,

CIV. NO. S- 04-1263 FCD GGH PS

vs.

WILLIAM J. BIGGS and BETTY BIGGS,

Defendants.

ORDER

The government's motion for summary judgment presently is calendared for hearing on February 8, 2007. Having reviewed the record, the court has determined that oral argument would not be of material assistance in determining the pending motion. Accordingly, the court will not entertain oral argument, and will determine the motion on the record, including the briefing in support of and in opposition to the pending motion. See E.D. Cal. L.R. 78-230(h).

Because the pending motion may not be decided before the currently set pretrial and trial dates of March 8, 2007 and June 5, 2007, those dates will be vacated pending a district court decision on the motions. New dates will be set, if necessary, after the motions are decided.

Accordingly, IT IS ORDERED that:

1. February 8, 2007 hearing on the motion for summary judgment, filed October 27, 2006, is vacated.

- 1 2. The motion is submitted on the record.
- 2 3. The pretrial conference, scheduled for March 8, 2007, is vacated.
- 3 4. The trial date, set for June 5, 2007, is vacated.

4 DATED: 2/2/07

5 /s/ Gregory G. Hollows

6

7 GREGORY G. HOLLOWSS
U. S. MAGISTRATE JUDGE

GGH:076:USBiggs1263.vac.wpd

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26